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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/754,145	01/09/2004	Benjamin C. Reed	ARC920030106US1	7481
61542 7590 12/09/2008 LEONARD T. GUZMAN IBM CORP., LAW DEPT., C4TA/J2B 650 HARRY ROAD SAN JOSE, CA 95120-6099				
EXAMINER				
TRUONG, LECHU				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/754,145

**Applicant(s)**

REED ET AL.

**Examiner**

LECHI TRUONG

**Art Unit**

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6, 19 and 21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 19, 21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Claims 1-6, 19, 21 are presented for examination. Applicant elected group I (claims 1-6, 19, 21) and claims 7-18, 20, 22 had been withdraw from consideration.

### *Claim Rejections - 35 USC § 101*

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 1-6 directed to the method claims that would not qualify as a statutory process would be a claim that recited purely mental steps. Thus, to qualify as a 101 statutory process, the claim should be positively reciting the other statutory class (the thing or product) to which it is tied, for example by identifying the apparatus that accomplishes the method steps. Appropriate correction is required to add the computer performs the steps of the methods.
3. Claims 19, 21 are rejected under 35 U.S.C. 101 because the claimed invention is directed to apparatus claims, but appearing to be comprised of software alone without claiming associated computer hardware required for execution. For example, claim 6 defines "apparatus" in the preamble and the body of the claim recites "a creating module", "a registering module", "a searching module", "a returning module", "an invoking module", "computer readable code". A creating module, a registering module, a searching module, a returning module, an invoking module, computer readable code appear to be software modules. Therefore, claims 19, 21 are non-statutory because they recite claims that comprise software per se embodiments.

***Claim Objections***

4. Claim 4 is objected to because of the following informalities: There is an error on the word “ bundle..”. Appropriate correction is required to change “bundle..” to “ bundle.” .

5. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code (e.g. see. Page 2, line 13, page 5, line 31, line 30, page 6, line 2, page 17, line 25, line 26). See MPEP § 608.01.

***Abstract Objected***

6. The abstract of the disclosure is objected to because the language of the abstract should be clear and concise and should not repeat information given in the title. Correction is required. See MPEP § 608.01(b).

7. To insure proper consideration and to the extent required by 37 CFR 1.56, applicant is required to supply a copy of the publication reference cited in the specification because it is not readily available to the examiner (e.g. see page 2, lines 12-18, page 5, lines 10-31, page 6, lines 1-2).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 1, 6, 19, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blizniak (US 20030220993 A1) in view of Hillerbrand (US 20040054690 A1).

**As to claim 1**, Blizniak teaches the invention substantially as claimed including: a proxy bundle (an instance of the new strategy 18, para[0039], ln 8-12), web service( web service, para[0030], ln 1-10), creating a proxy bundle corresponding to the at least one web service( para[0039], ln8-12/para[0030], ln1-10); a proxy web service registering a proxy web service corresponding to the proxy bundle in a service registry(its key or keys with the deployment manager 22. The deployment manager then adds strategy and its corresponding key(s) to the registry 24, para[0039], ln 8-15), a reference to the proxy web service( the key to the corresponding strategies, para[0039], ln 8-16)searching for the at least one web service in the service registry, para[0027], ln 1-10/ para[0039], ln 8-16);and invoking at least one method on the returned reference( para[0032], ln 1-5), thereby invoking the at least one web service( para[0039], ln 8-16).

Blizniak does not teach returning a reference from the service registry in response to the searching. However, Hillerbrand teaches returning a reference from the service registry in response to the searching (communications with the resource registry 142 to retrieve the identified execution model, which is returned to the public service module 415 para [0310], ln 15-19).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Blizniak with Hillerbrand to incorporate the feature of returning a reference from the service registry in response to the searching because this retrieves any pre-stored business information models that may be relevant for association with the ontological model of the selected web service.

**As to claim 6**, Blizniak teaches using a list of properties from the proxy bundle as service properties (para [0039], ln 8-16).

**As to claims 19 and 21**, they are apparatus claims of claim 1; therefore, they are rejected for the same reason as claim 1 above.

9. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Blizniak(US 20030220993 A1) in view of Hillerbrand(US 20040054690 A1), as applied to claim 1 above, and further in view of Wu(US 20050038708 A1).

**As to claim 2**, Blizniak and Hillerbrand does not teach retrieving WSDL of the at least one web service; and parsing the retrieved WSDL to get a list of packages used by the at least one web service. However, Wu teaches retrieving WSDL of the at least one web service; and parsing the retrieved WSDL to get a list of packages used by the at least one web service (Second, the system simultaneously retrieves and parses the WSDL 210, and saves the concurrency configurations 228. Third, as a result of parsing, the system simultaneously generates Web based forms 220 and client stubs 226. Fourth, the Web Services invoker 230

takes the form data, generated client stubs, and configurations and invokes the designated Web Services with multiple threads, para [0035], ln 1-10).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Blizniak and Hillerbrand with Wu to incorporate the feature of retrieving WSDL of the at least one web service; and parsing the retrieved WSDL to get a list of packages used by the at least one web service because this invokes the services based on information provided by the WSDL files.

10. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blizniak(US 20030220993 A1) in view of Hillerbrand(US 20040054690 A1), as applied to claim 1 above, in view of Wu(US 20050038708 A1) in view of Cheenath(US 20040044656 A1) and further in view of Williams(US 20040015564 A1)..

**As to claim 3**, Blizniak, Hillerbrand and Wu do not teach saving the retrieved WSDL. However, Cheenath teaches saving the retrieved WSDL(Once the WSDL files are retrieved in step 230, each web service description file or WSDL file is parsed ... the Pared WDLS file messages file messages are placed into an internal data structure in memory, para[0017], ln 1-9).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Blizniak, Hillerbrand and Wu with Cheenath to incorporate the feature of saving the retrieved WSDL because this provides all the methods supported by a particular web service description file and the appropriate signature file.

Blizniak , Hillerbrand , Wu and Cheenath do not teach save the WSDL in a JAF file. However, Williams teaches save the WSDL in a JAF file (descriptor files that make up the Web service can now be combined into an archive file (such as a jar or .war or .ear file, para [0078], In 1-5).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Blizniak, Hillerbrand, Wu and Cheenath to incorporate the feature of save the WSDL in a JAF file because this allows the Web service is easily to be deployed.

**As to claim 4**, Cheenath teaches storing the list of packages in a bundle manifest corresponding to the proxy bundle (para [0017], In 1-9).

**As to claim 5**, Cheenath teaches optimally generating class files that correspond to the WSDL rather than using existing class files (para [0017], In 1-15).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272-3767. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications



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may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

/LeChi Truong/

Examiner, Art Unit 2194

LeChi Truong

December 11, 2008